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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,688	04/16/2004	Zvi Bleier	148/8X3CIP	9580
27538	7590	09/23/2004	EXAMINER	
KAPLAN & GILMAN, L.L.P. 900 ROUTE 9 NORTH WOODBIDGE, NJ 07095			SHAFFER, RICKY D	
			ART UNIT	PAPER NUMBER
			2872	

DATE MAILED: 09/23/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

AK

# Office Action Summary

Application No.

10/826,688

Applicant(s)

BLEIER ET AL.

Examiner

Ricky D. Shafer

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 04/16/2004 & 07/19/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-11 and 15-19 is/are rejected.
- 7) ☒ Claim(s) 2 and 12-14 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 07/19/2004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 3-9 are rejected under 35 U.S.C. 102(b) as being anticipated by Park ('606).

Park discloses a roof mirror assembly comprising first and second mirror panels (C,D) comprising first and second reflective surfaces (C) and first and second mounting surfaces (D), respectively, wherein said first and second mirror panels are joined together so that said first and second reflective surfaces are inherently capable of being substantially perpendicular to each other (see page 1, lines 80 to 89); at least one mounting block (F) having at least one opening extending through a portion thereof, at least one mounting pin (e) received within said at least one opening of said at least one mounting block, wherein said at least one mounting pin is attached within said opening to said at least one mounting block and is attached to at least one of said first or second mounting surfaces of said first or second mirror panels, a back plate member (the bottom of the box) and at least one protruding element (E) extending from a back portion of each of said mirror panels. Note figures 1 to 4 along with the associated description thereof.

3. Claims 1, 4-6, 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Taggert ('501).

Taggert discloses a roof mirror assembly comprising first and second mirror panels (10) comprising first and second reflective surfaces (32) and first and second mounting surfaces (22), respectively, wherein said first and second mirror panels are joined together so that said first and

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second reflective surfaces are substantially perpendicular to each other (see figures 1 and 2); at least one mounting block (28,30) having at least one opening extending through a portion thereof; and at least one mounting pin (that element attach to element (28), shown in Fig. 6) received within said at least one opening of said at least one mounting block, wherein said at least one mounting pin is attached within said opening to said at least one mounting block and is attached to at least one of said first or second mounting surfaces of said first or second mirror panels, wherein the first and second edges (16) of said mirror panels are joined together to create a miter joint of 45 degrees. Note figures 1 to 6 along with the associated description thereof.

4. Claims 15, 16, 18 and 19 are rejected under 35 U.S.C. 102(b) as being anticipated by Smith, Jr. ('810).

Smith, Jr. discloses a roof mirror assembly comprising first and second mirror panels (8,11) joined together so that first and second reflective surfaces thereof are substantially perpendicular to each other, said mirror panels each further comprising first and second ends, wherein said first ends of said mirror panels are proximate to each other and said second ends of said mirror panels are proximate to each other when said first and second mirror panels are in said joined condition; and wherein elements (2,13,14) serve as applicant's at least one mounting block to complete said joining together of said first and second mirror panels into said roof mirror assembly and for mounting said panels onto another structure (the horizontal component of element (2)), said at least one mounting block attached to said first ends of said mirror panels, wherein said at least one mounting block is mounted onto said another structure along a bottom surface thereof. Note Fig. 1 along with the associated description thereof.

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5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Smith, Jr. ('810).

Smith, Jr. discloses all of the subject matter claimed, note the above explanation, except for explicitly stating that the bottom surfaces of the mounting blocks are mounted to said another structure by an adhesive material.

It is well to use an adhesive material in the same field of endeavor for the purpose of attaching one element to another element.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the bottom surfaces of mounting blocks of Smith, Jr. to an adhesive material, as commonly used and employed in the art, in order to secure the mirror panels to their respectively mounting block in order to prevent the mirrors from damage.

7. Claims 2 and 12-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

8. Claim 11 is objected to because of the following informalities:

In claim 11, line 1, numeral "9" should be changed to read --10--.

Appropriate correction is required.

9. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the

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following is required: Proper antecedent basis for the at least one mounting pin being attached using an adhesive material, the first and second mirror panels and the at least one mounting block being formed on the same material, the material having dimensional stability with respect to changes in temperatures, the material being one of fused quartz or annealed Pyrex, and the first and second ends of the mirror panels.

10. The disclosure is objected to because of the following informalities:

On page 1 of the specification, the status of application 09/894,207 needs to be updated.

Appropriate correction is required.

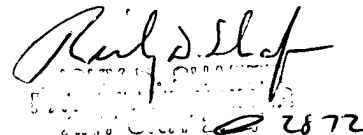
11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RDS

September 18, 2004



Ricky D. Shafer  
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